

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LSI Corporation, Agere Systems LLC, and Avago Technologies General IP (Singapore) Pte, Ltd.

Case No. 15-cv-04307-EMC

## **ORDER REGARDING CLAIM CONSTRUCTION SCHEDULE**

Plaintiffs,

V.

Funai Electric Co., Ltd.; Funai Corporation, Inc.; P&F USA, Inc.; and Funai Service Corporation.

## Defendants

Avago Technologies General IP (Singapore)  
Pte Ltd

Case No. 15-cv-04525-EMC

## **ORDER REGARDING CLAIM CONSTRUCTION SCHEDULE**

**Plaintiff,**

V.

ASUSTeK Computer, Inc. and ASUS  
Computer International

## Defendants

The Court adopts the parties' proposed schedule for claim construction in the two above related actions submitted by Plaintiffs LSI Corporation, Agere Systems LLC, and Avago Technologies General IP (Singapore) Pte. Ltd. (collectively "Plaintiffs") and Defendants Funai

1 Electric Co., Ltd., Funai Corporation, Inc., P&F USA, Inc.; and Funai Service Corporation  
2 (collectively “Funai”) and Defendants ASUSTeK Computer, Inc., and ASUS Computer  
3 International (collectively “ASUS”) (Funai and ASUS collectively “Defendants”).

4 The schedule applies to all patents (Common and Non-Common).

- 5 • 12/21/2015 P.R. 4-1: Exchange proposed terms and claim elements for construction.
- 6 • 01/11/2016 P.R. 4-2: Exchange proposed constructions and extrinsic evidence.
- 7 • 02/05/2016 P.R. 4-3: File joint claim construction and pre-hearing statement.
- 8 • 03/07/2016 P.R. 4-4: Completion of claim construction discovery.
- 9 • 03/21/2016 P.R. 4-5(a): Opening claim construction brief.
- 10 • 04/04/2016 P.R. 4-5(b): Joint Funai and ASUS Responsive claim construction brief.
- 11 • 04/11/2016 P.R. 4-5(c): Reply claim construction brief.
- 12 • 04/18/2016 (2:30 p.m.) Technology tutorial for the Common Patents with Defendants  
13 tutorial jointly presented by Funai and ASUS, followed by tutorial on Non-Common  
14 Patents on 4/19/2016 (9:30 a.m.)
- 15 • 05/02/2016 (2:30 p.m.) Claim construction hearing for the Common Patents with  
16 Defendants arguments jointly presented by Funai and ASUS; followed by hearing on  
17 Non-Common Patents on 5/3/2016 (2:30 p.m.)  
18 More specifically, the technology tutorial will be held on 04/18/2016 at 2:30 p.m. and  
19 will start with the Common Patents and time permitting will move on to the Non-  
20 Common Patents for either the Funai Action or ASUS Action, with the technology  
21 tutorial for the remaining Non-Common Patents continuing on the following day—  
22 04/19/2016 at 9:30 a.m. The claim construction hearing will begin on 05/02/2016 at 2:30  
23 p.m. and will start with the claim terms for the Common Patents and time permitting will  
24 move on to the claim terms for the Non-Common Patents for either the Funai Action or  
25 ASUS Action, with the claim construction hearing for the remaining Non-Common  
26 Patents continuing on the following day—05/03/2016 at 2:30 p.m. The Court reserves  
27 05/06/2016 at 2:30 p.m. should a third day is required.

1 As to briefing, the Court orders as follows:

2 For the three Common Patents ('087 patent, '148 patent, and '663 patent):

- 3 • 7 total terms to be construed from the three Common Patents.
- 4 • The Defendants will jointly brief, argue and provide the tutorial for the 7 claim terms from
- 5 the three Common Patents.
- 6 • The final decision on which 7 total terms should be construed from the three Common
- 7 Patents to be broken down as follows: ASUS (2), Funai (2) and Plaintiffs (3).
- 8 • Pages for the briefing on the Common Patents: 20 pages for opening brief by Plaintiffs, 20
- 9 pages for responding brief by Defendants jointly and 15 pages for reply brief by Plaintiffs.

10 For the “Non-Common Patents in the ASUS Case” ('730 patent, '387 patent, '830 patent,

11 and '835 patent):

- 12 • 4 total terms to be construed from the Non-Common Patents in the ASUS Case.
- 13 • Final decision on which 4 total terms should be construed from the Non-common Patents
- 14 in the ASUS Case to be broken down as follows: ASUS (2) and Avago (2).
- 15 • Pages for ASUS Non-Common Patents: 15 pages for opening brief by Avago, 15 pages
- 16 for responding brief for ASUS and 10 pages for reply brief by Avago.
- 17 • Dates for ASUS Non-Common Patents: Avago and ASUS maintain the current Court
- 18 claim construction schedule for the Non-Common Patents in the ASUS Case.

19 For the “Non-Common Patents in the Funai Case” ('867 patent and '959 patent):

- 20 • 4 total terms to be construed from the Non-Common Patents in the Funai Case.
- 21 • Final decision on which 4 total terms should be construed from the Non-Common Patents
- 22 in the Funai Case broken down as follows: Funai (2) and Plaintiffs (2).

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- Pages for Funai Non-Common Patents: 15 pages for opening brief by Plaintiffs, 15 pages for responding brief for Funai Defendants and 10 pages for reply brief by Plaintiffs.

IT IS SO ORDERED.

DATED: December 8, 2015



EDWARD M. CHEN  
United States District Judge